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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA
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6 UNITED STATES OF AMERICA,
7
8 Plaintiff,

9 vs.

10 DARRYL OWEN WALIZER,
11
12 Defendant.

2:10-CR-00124-PMP-RJJ

ORDER

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14 Currently pending before the Court is Defendant Darryl Walizer's Motion to
15 Vacate, Set Aside or Correct Sentence Pursuant to 28 U.S.C. § 2255 (Doc. #131) filed
16 March 20, 2014. Given the paucity of information contained in Defendant's original
17 motion, substantial delay has resulted in allowing Defendant Walizer to supplement his
18 motion and to enable Plaintiff United States to respond thereto. On December 1, 2014,
19 Defendant Walizer filed a Supplemental Brief in support of his Motion to Vacate (Doc.
#155). The Government's Response is due to be filed January 2, 2015.

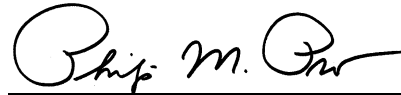
20 However, on December 8, 2014, Defendant Walizer filed a Motion for Case
21 Documentation and Order to Unseal (Docs. #156 and 157). For the reasons set forth
22 in the Government's Response thereto (Doc. #159), the Court finds Defendant
23 Walizer's latest motions for relief must be denied.

24 Specifically, Defendant Walizer fails to explain how the additional documents
25 requested could be relevant to any cognizable claims set forth in his § 2255 Motion.
26 As noted by the Government in its Response (Doc. #159), Defendant Walizer's

1 disagreement with the jury's assessment of evidence at trial, or his disagreement with
2 defense counsel's tactical decisions regarding expert witness testimony does not
3 provide a basis for relief under § 2255. Finding no merit in Defendant Walizer's
4 Motion,

5 **IT IS ORDERED** that Defendant Walizer's Motion for Case Documentation
6 and Order to Unseal (Docs. #156 and 157) is **DENIED**.

7 DATED: January 5, 2015.

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11 PHILIP M. PRO
12 United States District Judge
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